

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

In re: PHARMACEUTICAL INDUSTRY)	
AVERAGE WHOLESALE PRICE)	MDL No. 1456
LITIGATION)	Civil Action No. 01-12257-PBS
)	
)	Subcategory No. 06-11337-PBS
THIS DOCUMENT RELATES TO:)	
)	
<i>United States of America ex rel. Ven-a-Care of</i>)	Hon. Patti B. Saris
<i>the Florida Keys, Inc. v. Dey, Inc., et al., Civil</i>)	
Action No. 05-11084-PBS)	

**NOTICE OF FILING OF AMENDED DECLARATION,
AND CORRECTED OR SUBSTITUTE EXHIBITS, AND ERRATA**

The plaintiff United States of America hereby submits an Amended Declaration of George B. Henderson, II Submitting Exhibits In Support of Motion For Partial Summary Judgment, together with certain corrected or substitute exhibits thereto. The corrected or substitute exhibits are as follows:

Exhibit	Description
11.	Deposition of Matthew Erick, June 17, 2008, selected pages
12.	Deposition of Kimber Tate, October 15, 2004, selected pages
19.	Declaration of Simon D. Platt, July 21, 2009
19A.	Defendants Dey, Inc., Dey, L.P., Inc., and Dey L.P.'s Responses and Objections to Plaintiffs First Set of Interrogatories to Defendants Dey, Inc., Dey, L.P., Inc., and Dey L.P. (selected pages)
43.	Letter from Debra Bronstein to Nancy M. Watson (The Lewin Group), January 17, 2000
50.	Deposition of Charles Rice, March 24, 2003, selected pages
56.	Deposition of Cynthia Jane Collie February 19, 2003, selected pages
83.	Deposition of Charles Rice, October 30, 2001, selected pages

Exhibit	Description
85.	Deposition of Pamela Marrs, April 16, 2003, selected pages
100.	Table 36 from Expert Report of Mark G. Duggan, Ph.D.
101.	Internal Financial Reports, 1994, 1997, 2000, selected pages
103.	Merck KGaA's, Merck S.A.'s, and Merck Santé S.A.S's Motion to Dismiss For Lack of Personal Jurisdiction filed in <i>The State of Florida ex rel. Ven-A-Care of the Florida Keys, Inc. v. Boehringer Ingelheim, et al.</i> , in the Circuit Court of the Second Judicial Circuit in and for Leon County, Florida, Case No. 98-3032A)
121.	Rule 30(b)(6) Deposition of Cardinal health, Inc. (Neil Warren), September 9, 2008, selected pages.
128.	Rule 30(b)(6) Deposition Georgia (Jerry Dubberly), December 15, 2008, selected pages
132.	Rule 30(b)(6) Deposition North Carolina (Lisa Weeks), October 21, 2008, selected pages
139.	Rule 30(b)(6) Deposition of Maryland (Joseph Fine), December 9, 2008, selected pages
150.	Deposition of Sue Gaston, January 24, 2008, and March 19, 2008, selected pages
151.	Hawaii Administrative Rules: Title 17, Chapter 1739.1 (HI-HI-00001582)

Errata

The first sentence of the United States' Local Rule 56.1 Statement of Undisputed Material Facts as to Dey (Master Doc. #6296, Subcategory Doc. #302) should read, "Pursuant to LR 56.1, the United States hereby submits its Statement of Undisputed Material Facts As to Dey, Inc., Dey, L.P., and Dey L.P., Inc."

Respectfully submitted,
MICHAEL K. LOUCKS
ACTING UNITED STATES

ATTORNEY

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CERTIFICATE OF SERVICE

I hereby certify that I have this day caused an electronic copy of the above document and related exhibits to be served on all counsel of record via electronic service pursuant to Paragraph 11 of Case Management Order No. 2 by sending a copy to LexisNexis File & Serve for posting and notification to all parties.

Dated: July 30, 2009

/s/ George B. Henderson, II
George B. Henderson, II